

**SALEM PLANNING AND ZONING COMMISSION**

**(PZC)**

**REGULAR MEETING**

**August 27, 2013**

**7:00**

**Present:** R. Amato, V. Smith, D. Bingham, R. Savalle, G. Walter, K. Buckley  
M. Darling, G. Fogarty, Alt, R. Serra (SECCOG Planner)

**Absent:** H. Green Alt, Vacancy Alt

**Guests** See File Copy

**CALL TO ORDER:** R. Amato called the meeting to order at 7:01.

**ADDITIONS TO THE AGENDA: None**

**PUBLIC HEARING:**

**1. Regulation Amendment and possible action of Sections, 15.2.11, 3.2.1, 4.6, 5.6, 6.5 & 11A.4.15 of the Zoning Regulations.**

**Regulation Amendment and possible action of Sections, 2.13, 6.3.4, 5.3.16 of the Subdivision Regulations.**

R. Amato opened the Public Hearing and D. Bingham read the Public Hearing notice into the record.

R. Serra informed the members that the referrals had gone out and the Commission received two responses, from WINCOG and SECCOG.

R. Serra explained Net Buildable Area (NBA) and reasoning behind the regulation which is to make sure there is enough suitable land for a septic system. He stated the Commission is amending the regulations for clarity. He also stated that the new wording gives the Commission the discretion to approve an application if it meets the intent of the regulation.

R. Serra explained that the regulation changes to 11A.4.15 are in response to a recommendation in the most recent POCD requesting that significant natural resources be included on site plans as well as ways to minimize the impact on such resources.

**The Commission called for comments from the public:**

Bob Neddo, 71 Forrest Drive

Q. Do you need 60,000 sf to build

A. Only effects the net buildable area within a buildable lot

Q. What about setbacks

A. Setbacks remain the same

Q. Anything before 2003 doesn't apply

A. Lots before 2003 are exempt from NBA

**M/S/C(Buckley/Darling) to close the public hearing on regulation amendments Sections, 15.2.11, 3.2.1, 4.6, 5.6, 6.5 & 11A.4.15 of the Zoning Regulations and, Sections, 2.13, 6.3.4, 5.3.16 of the Subdivision Regulations. Vote: Approved Unanimously**

**2. Regulation Amendment and possible action of Section, 7A.2.1 of the Zoning Regulations.**

R. Serra stated he has had a number of meetings with Mr. Burnett who would like to allow his business to serve food in a café setting. He stated that every other business district in town allows for food service.

T. Burnett stated he would be happy to answer questions.

D. Bingham asked if the term "quality food" could be removed from the regulation change. T. Burnett and R. Serra did not have any objections to deleting the wording

D. Bingham had concerns about the word café not being defined in the regulations.

R. Serra stated the word denotes a smaller food operation, he suggested keeping the language.

**The Commission called for comments from the public:**

Kevin Lyden, First Selectman stated that he fully supported the change and that it would be a good fit for the town.

William Schultz, 19 Forest Drive, stated he was in favor of the change

**M/S/C (Buckley/Smith) to close the public hearing amending section 7A.2.1 of Zoning Regulations**

**M/S/C (Bingham/Walter) to approve sections 15.2.11, 3.2.1, 4.6, 5.6, 6.5 & 11A.4.15 of the Zoning Regulations and, Sections, 2.13, 6.3.4, 5.3.16 of the Subdivision Regulations as presented. Vote: Approved Unanimously**

**M/S/C (Bingham/Savalle) to approve section 7A.2.1 as amended:**

*Such uses may include the subordinate use of the sale, preparation, and consumption of food in a café setting. Vote: Approved Unanimously*

**M/S/C (Bingham/Smith) to make effective date of changes October 1, 2013. Vote: Approved Unanimously**

**PETITIONERS: SPM #13-08-01, 365 Old Colchester Road, Raymond Snarski**

R. Serra informed the Commission the applicant wants to rebuild the package store that was destroyed in a fire. He stated the plan show a smaller footprint than what previously existed. The Fire Marshal and Sanitarian have reviewed the plans and given approvals.

The applicant has submitted waiver requests with the plan which R. Serra addressed:

- Did not see any flooding issues as the water will sheet flow off the site, also there will be 2/3 less impervious surface with the new plans.
- Does not see an issue with landscaping. If something is not shown on the plan it should not be on the site. All the stuff around the building not shown on the plan should be removed or relocated.
- As for the A2 survey the building is in the same spot and a significant distance from the road and setbacks.
- The handicap parking spot will be addressed on the new plan and it will be restriped.

C. Dutch stated that the building will be smaller. Existing septic is adequate but will move septic tank to be compliant. Part of the slab which will not be needed will be removed and replaced with a gravel base.

The waiver letter was and will be corrected to reflect the proper sections to be waived.

K. Lyden stated he was in favor of the application and that the applicant has been instructed he has to clean up and remove debris from between the buildings.

**M/S/C (Savalle/Smith) to approve waivers for the following sections: 11A.4.2, 11A.4.5, 11A.4.9 and 11A 4.13. Vote: Approved Unanimously**

**M/S/C (Buckley/Savalle) to approve SPM #13-08-01, 365 Old Colchester Road, Raymond Snarski with condition that handicap parking space be restriped to comply with CT Building Codes. Vote: Approved Unanimously**

**PUBLIC COMMENT-None**

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):**

**1. July 16, 2013 Regular Meeting**

**M/S/C (Savalle/Smith) to approve the June 18, 2013 Regular Meeting Minutes as amended.**

Page 2, Old Business, ¶15, ....should be used in place of ~~septic~~ sewage systems

**Vote: Approved Unanimously**

## **2. July 23, 2013 Regular Meeting**

**M/S/C (Savalle/Smith) to approve the June 25, 2013 Regular Meeting Minutes as approved Vote: Approved Unanimously**

## **OLD BUSINESS**

### **1. Village Center Zone**

R. Serra handed out two versions of proposed village center zone regulations.

He informed the members of the difference between a historic district, a village zone (§8-2), and a combination of historic and village zone (§8-2j)

R. Serra stated that in many towns that have historic/village center looking areas there are few or no regulations controlling appearance. There were no design standards or architectural design. He stated that what makes places like Essex or Mystic unique is their sense of place.

R. Serra put together a color coded map of the proposed zone. He stated there are approximately 300 acres in the zone, of which they are broken down as follows:

- 3 acres institutional
- 87 restricted
- 28 vacant
- 80 municipal
- 103 developed

## **NEW BUSINESS**

**None**

**ENFORCEMENT OFFICERS REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:**

## **1. WEO/ZEO Report**

**The Commission would like to have more clarity to the report**

## **2. Town Planner Report**

R. Serra informed the Commission of legislation dealing with running bamboo. He also informed the members of a FEMA workshop on Sept. 10.

**PLUS/DELTAS:** The Commission discussed the positive and negative aspects of the meeting.

**CORRESPONDENCE:** None

**ADJOURNMENT:**

**M/S/C (Bingham/Smith) to adjourn at 9:28 PM. Vote: Approved Unanimously.**

**Respectfully Submitted,**

**Sue Spang**

**Recording Secretary**